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1743

Docket No. LFS0123USNP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Curt Eyster et al.
Serial No. : 09/963,243 Art Unit: 1743
Filed : September 26, 2001 Examiner: Lyle Alexander
For : Colorimetric Test Devices with Reduced Error

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November 8, 2006
(Date of Deposit)

Jane Silarajs
(Name of applicant, assignee, or Registered Representative)

/Jane Silarajs/
(Signature)
November 8, 2006
(Date of Signature)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

This paper is supplemental to the Information Disclosure Statements filed on
09/26/2001, 02/26/2003 and 01/19/2006.

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information
relating to the above-identified application is hereby disclosed. Inclusion of information in this
statement is not to be construed as an admission that this information is material as that term is
defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention
over any of the information provided herewith, and/or to prove that this information may not be
prior art, and/or to prove that this information may not be enabling for the teachings purportedly
offered.

Serial No. 09/963,243

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

☒ In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under §1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, no additional fee is required.

☐ In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with ☒ the first or ☐ second After Final Submission, therefore:

☒ Statement in Accordance with §1.97(e) (attached); or

☐ Please charge Deposit Account No. 10-0750/ / the fee of \$180.00 as set forth in §1.17(p).

☐ In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or an action that otherwise closes prosecution and that it is accompanied by one of:

☐ Statement in Accordance with §1.97(e) (attached); or

☐ Please charge Deposit Account No. 10-0750/ / the fee of \$180.00 as set forth in §1.17(p).

☐ In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee. Applicant(s) hereby petition(s) for consideration of this Information Disclosure Statement. Included are: Statement in Accordance with §1.97(e) as set forth below and the fee of \$180.00 as set forth in §1.17(p).

Serial No. 09/963,243

☐ Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.

☐ Copies of references listed on the attached Form PTO-1449 are enclosed herewith EXCEPT THAT:

☐ In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.

☐ If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.

☒ Copies of only foreign patent documents and non-patent literature are enclosed in accordance with 37 CFR 1.98 (a)(2).

☐ There are no listed references which are not in the English language.

☒ The relevance of those listed references which are not in the English language is as follows: Citation by Russian Patent Office.

☒ Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D.

☐ Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D.

Serial No. 09/963,243

Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/ LFS0123USNP/KTA.

Respectfully submitted,

s/Khoi Ta/
Khoi Q. Ta
Reg. No. 47,300
Attorney for Applicants

Johnson & Johnson
International Patent Law Division
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P.O. Box 1222
New Brunswick, NJ 08903
(408) 942-5721
DATED: November 8, 2006



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P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT UNDER 37 C.F.R. §1.97(e)

In accordance with 37 C.F.R. §1.97(e), certification is hereby made that:

☒ Each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement; or

☐ No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this Information Disclosure Statement, was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Respectfully submitted,

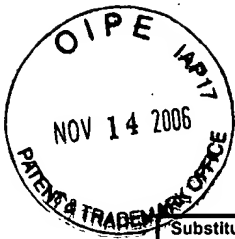
s/Khoi Ta/

Khoi Q. Ta

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PTO/SB/08A (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

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Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 2

<i>Application Number</i>	09/963,243
<i>Filing Date</i>	09/26/2001
<i>First Named Inventor</i>	Curt Eyster
<i>Group Art Unit</i>	1743
<i>Examiner Name</i>	Lyle Alexander
<i>Attorney Docket Number</i>	LFS0123USNP

U.S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

[illegible]

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Unique citation designation number. 2 See attached Kinds of U.S. Patent Documents. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 1449A/PTO

(use as many sheets as necessary)

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Group Art Unit	1743
Examiner Name	Lyle Alexander
Attorney Docket Number	LFS0123USNP

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<p align="center">SUBMISSION UNDER MPEP 609 D</p> <p align="center">Page 1 of 1</p>	<i>Application Number</i>	09/963,243
	<i>Filing Date</i>	09/26/2001
	<i>First Named Inventor</i>	Curt Eyster
	<i>Group Art Unit</i>	1743
	<i>Examiner Name</i>	Lyly Alexander
	<i>Attorney Docket Number</i>	LFS0123USNP

U.S. PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	Name of Patentee or Applicant of Cited Document	U.S. Patent Document		Pages, Columns, Lines, where relevant passages or relevant figures appear
			Number	Kind Code ² (if known)	

FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	Name of Patentee or Applicant of Cited Document	Foreign Patent Document			Pages, Columns, Lines, where relevant passages or relevant figures appear	T ⁶
			Office ³	Number ⁴	KindCode ⁵		

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Examiner's Initials*	Cite No. ¹	Include name of the author (in CAPITOL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
		Letter from Russian Associate dated 11/07/2006 attaching Decision of Grant from Russian Patent Office re Application 2002125635	

Examiner Signature		Date Considered	
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